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# On the Case of H. Conner

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S. Rep. No. 213, 33d Cong., 1st Sess. (1854)

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IN THE SENATE OF THE UNITED STATES.

APRIL 17, 1854.—Ordered to be printed.

MR. BROWN made the following

REPORT.

*The Committee on Indian Affairs, to whom was referred the petition of the legal representatives of Henry Conner, alias Wabish-ken-dib, praying the payment of an amount awarded said Conner under the treaty with the Saganaw band of Chippewa Indians, of January 14, 1837, have had the same under consideration and respectfully report:*

That, in 1837, the United States treated with the Saganaw band of Chippewa Indians for one hundred and two thousand four hundred acres of land, and, by the third article of the convention, agreed to pay to the Indians the net proceeds of the sales of said land. The fourth article of the treaty specifies the several purposes to which the money was to be applied, and among these was the payment of certain sums of money amounting, in the aggregate, to \$12,243 75; more particularly described in a schedule appended to the treaty, marked B. By reference to this schedule it appears that Wabish-ken-dib, or Henry Conner, was to be paid \$3,243 75, and this is the money now claimed by the petitioners.

By reference to the accompanying letters from the Commissioners of the General Land Office and of Indian Affairs, it will be seen that the United States has advanced to the Indians, on account of treaty stipulations with the Saganaws, \$70,000, and has received from the sales of the lands acquired only \$68,094 26, and that there is nothing in the treasury to the credit of the Saganaw band of Indians. It follows that the United States is under no obligation, at this time, to pay the demand of the petitioners.

The minimum price of these lands has been fixed, by law, at \$2 50 per acre. The commissioner does not advise a reduction of the price, for the reason that they are selling as fast at that price as other government lands at the usual minimum of \$1 25 per acre. If reduced in price to the general minimum of \$1 25, it is not likely the net proceeds of the sales would ever discharge all the demands against them. The United States is only obliged to account for the net proceeds of the sales of the lands. The claimants have never asked to have the price reduced. When sold the accounting officers are fully authorized, under existing laws, to pay out the money to the petitioners, or others entitled to receive.

The committee do not believe any further legislation necessary to insure justice, and they ask to be discharged from the further consideration of the subject.

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DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, April 14, 1854.*

SIR: I have the honor to acknowledge the receipt of your letter of the 2d instant, with the enclosed petition of the heirs of Henry Conner, and other papers, relative to a claim of said Conner, under the treaty with the Chippewas of Saganaw, of 14th January, 1837, and to reply to your interrogatories, as follows:

1. As stated by the petitioners, the sum of \$3,243 75 does stand to the credit of Henry Conner, and is embraced in the schedule B, attached to the treaty.

2. A part of the land, out of the proceeds of which this and like claims are to be paid, has been sold. Originally there were 102,400 acres. Up to 30th December last, 25,427,89 acres had been disposed of, producing \$68,094 26. This sum does not reimburse the government for the \$70,000 advanced in accordance with the 5th article of the treaty, and, consequently, there is still no fund applicable to the payment of Conner's claim.

3. The Commissioner of the General Land Office is of the opinion that the unsold portion of the land is not likely to remain so, and sees no reason why the price should be reduced. I enclose a copy of his letter of the 12th instant, furnishing information on these and other points.

4. The lands were, originally, offered at public sale, and are now subject to private entry, at the minimum price of \$2 50 per acre.

5. As to what legislation is necessary to insure justice to the claimant, and others, I respectfully refer you to the precedent in the case of Wah-in-gun, who transferred his claim to Henry D. Garrison. See act for the relief of the latter, approved March 3, 1849.

I return herewith the papers enclosed by you.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

Hon. A. G. BROWN,  
*of Committee on Indian Affairs, Senate U. S.*

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GENERAL LAND OFFICE,  
*April 12, 1854.*

SIR: I am in receipt of your letter of the 8th instant, and have to reply that the quantity of land ceded by the Chippewas of Saginaw, under the treaty of 14th January, 1837, was 102,400 acres; of which there has been sold, up to the 31st December, 1853, 25,427,59 acres, for \$68,094 26. These lands were, originally, offered at public sale, as other public lands, and are now subject to private entry, at the minimum price of \$2 50 per acre.

I know of no portion of these lands remaining unsold likely to remain so, as the average quantity sold is about the same annually, except during the last year, when it was about double; and, as the price does not seem to interfere with their sale, I see no reason why it should be reduced.

I am, very respectfully, your obedient servant,

JOHN WILSON,  
*Commissioner.*

COMMISSIONER INDIAN AFFAIRS.